

Attachment A

Recommended Conditions of Consent
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Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below in Schedules 1 and 2.

SCHEDULE 1

GENERAL CONDITIONS

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2025/342, dated 28 April 2025, and the following drawings prepared by JPW:

Drawing Number	Revision	Drawing Name	Date
AR-JPW-DA-050000	A	DA- Existing Plan – Level B2	23-08-24
AR-JPW-DA-050100	A	DA- Existing Plan – Level B1	23-08-24
AR-JPW-DA-050200	A	DA- Existing Plan – Ground Floor	23-08-24
AR-JPW-DA-050300	A	DA- Existing Plan – Level 01	23-08-24
AR-JPW-DA-050400	A	DA- Existing Plan – Level 02	23-08-24
AR-JPW-DA-050500	A	DA- Existing Plan – Level 03	23-08-24
AR-JPW-DA-050600	A	DA- Existing Plan – Level 04	23-08-24
AR-JPW-DA-050700	A	DA- Existing Plan – Level 05	23-08-24
AR-JPW-DA-050800	A	DA- Existing Plan – Level 06	23-08-24
AR-JPW-DA-050900	A	DA- Existing Plan – Level 07	23-08-24
AR-JPW-DA-051000	A	DA- Existing Plan – Level 08	23-08-24
AR-JPW-DA-051100	A	DA- Existing Plan – Level 09	23-08-24

Drawing Number	Revision	Drawing Name	Date
AR-JPW-DA-051200	A	DA- Existing Plan – Level 10	23-08-24
AR-JPW-DA-051300	A	DA- Existing Plan – Level 11	23-08-24
AR-JPW-DA-051400	A	DA- Existing Plan – Level 12	23-08-24
AR-JPW-DA-051500	A	DA- Existing Plan – Level 13	23-08-24
AR-JPW-DA-051600	A	DA- Existing Plan – Roof Plan	23-08-24
AR-JPW-DA-100000	A	DA- Plan - Level B2	23-08-24
AR-JPW-DA-100100	A	DA- Plan – Level B1	23-08-24
AR-JPW-DA-100200	A	DA- Plan – Ground Floor	23-08-24
AR-JPW-DA-100300	A	DA- Plan – Level 01	23-08-24
AR-JPW-DA-100400	A	DA- Plan – Level 02	23-08-24
AR-JPW-DA-100500	A	DA- Plan – Level 03	23-08-24
AR-JPW-DA-100600	A	DA- Plan – Level 04	23-08-24
AR-JPW-DA-100700	A	DA- Plan – Level 05	23-08-24
AR-JPW-DA-100800	A	DA- Plan – Level 06	23-08-24
AR-JPW-DA-100900	A	DA- Plan – Level 07	23-08-24
AR-JPW-DA-101000	A	DA- Plan – Level 08	23-08-24
AR-JPW-DA-101100	A	DA- Plan – Level 09	23-08-24
AR-JPW-DA-101200	A	DA- Plan – Level 10	23-08-24
AR-JPW-DA-101300	A	DA- Plan – Level 11	23-08-24

Drawing Number	Revision	Drawing Name	Date
AR-JPW-DA-101400	A	DA- Plan – Level 12	23-08-24
AR-JPW-DA-101500	A	DA- Plan – Level 13	23-08-24
AR-JPW-DA-101600	A	DA- Plan – Roof Plan	23-08-24
AR-JPW-DA-053000	A	DA - Existing Sections	03-06-25
AR-JPW-DA-052000	A	DA - Existing South Elevation	28-05-25
AR-JPW-DA-052010	A	DA - Existing East Elevation	28-05-25
AR-JPW-DA-052020	A	DA - Existing North & West Elevations	28-05-25

and as amended by the conditions of this consent.

- (b) The HFS staging plans, titled Appendix W - Heritage Floor Space Staging Diagrams, dated 16.04.2025, Council Ref: 2025/236299, form part of this consent.
- (c) In the event of any inconsistency between the approved plans and supplementary documentation, the drawings will prevail.

Reason

To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(2) DESIGN MODIFICATIONS

- (a) The design of the building must be modified to address Schedule 3, Condition 2 of HNSW General Terms of approval, below in this consent.
- (b) Once (a) has been finalised, the Conservation Management Plan (CMP) is also to be updated to reflect these design changes.

The modifications to the plans and the CMP are to be submitted to and approved by Council's Area Planning Manager prior to the issue of the Stage 1 Construction Certificate.

Reason

To require amendments to the approved plans and supporting documentation following assessment of the development.

(3) AWARD OF HERITAGE FLOOR SPACE – STAGED AWARD

The owner of the site may be awarded 4,676sqm of heritage floor space under the *Sydney Local Environmental Plan 2012*, staged in accordance with the approved staging plan and as follows:

Stage:	Works:	HFS Award (sqm)
Stage 1	Partial renewal of chiller and lift works.	1917sqm
	Stage 1 façade upgrade works (Barrack Lane) under D/2019/405	
	Alterations to office premises on Levels 6 and 7, pursuant to D/2022/482.	
	Repairs to heritage significant executive rooms on Level 2 and fitout to office suites on Level 1.	
	Ongoing maintenance and retail operations within Ground floor banking chamber including Burberry works under D/2010/1531 and D/2015/1455	
	Ongoing maintenance and retail operations within Basement Safety Deposit Business	
	Removal of the existing doors connecting two buildings and replaced with walls on Levels 8, 9 and 10	
Stage 2	Stage 2 façade upgrade works (Barrack and George Streets) under D/2019/405	1777sqm
Stage 3	CC Stage 1 base building renewal (all works including upgraded bathrooms to Level 4 but not including other floor works to Levels 1-4)	888sqm
Stage 4	CC Stage 2 base building renewal (remaining works to Levels 1-4)	94sqm

if the criteria set out in the sub clauses below are complied with.

- (a) Subject to the above staging, the owner must complete the conservation works approved under development consent D/2019/405 and D/2022/482 and accompanied with supporting documents and Construction Certificates to the satisfaction of Council, prior to the award of the relevant stage of heritage floor space.
- (b) Subject to the above staging, the owner must complete the conservation works approved under this development consent (D/2025/342) with supporting documents and Construction Certificates to the satisfaction of Council, prior to the award of the relevant stage of heritage floor space.
- (c) The owner must complete the conservation work approved by this development consent and future Construction Certificates to the satisfaction of Council, prior to the registration of each relevant stage of Heritage Floor Space (HFS) in Council's Heritage Floor Space Register. In particular the following conservation works must be undertaken:

- (i) The owner must enter into a deed with Council and register any required covenants on the title of the land on the completion of the conservation works to:
 - (ii) ensure the continued conservation and maintenance of the building; and
 - (iii) limit any future development of the site to the total area of the conserved building, which has a total Gross Floor Area of 12,163sqm (as defined by the Sydney Local Environmental Plan 2012).
 - (iv) limit any future height of the conserved building to the 56.6 metres, being, RL 73.60 (AHD) to the top of the building.
- (d) All legal documentation must be prepared by Council's solicitor. The cost of preparation and registration of all documentation must be borne by the owner.

After paragraphs (a) to (d) of this condition have been met to the satisfaction of Council for each stage of the HSF award, each stage of the total award of 4,675.6sqm of HFS will be recorded in the Council's Heritage Floor Space Register, with the building owner recorded as the owner of the HFS.

Once the registration is complete, the building owner, or their nominated representative, will be issued with a letter confirming registration of the HFS.

To satisfy this condition, any existing covenants on the title of the land related to a previous award of heritage floor space are to be released when the covenants required to meet parts (b)(i)-(iv) above are registered on title.

Reason

To ensure approved conservation works are undertaken prior to the award of any heritage floor space and to limit any future development of the site in accordance with Council's DCP.

(4) STAGED CONSTRUCTION CERTIFICATES

- (a) The works may be carried out in stages with the relevant conditions being satisfied prior to the issue of a construction certificate for stage as outlined in the table below:

Stage:	Works:
Stage 1	<p>All basement 01, lower ground and ground floor</p> <p>All works from level 5-10</p> <p>All works to level 11 and the roof</p> <p>Upgrade works to the bathrooms on Level 4 (not including other floor works to Levels 1-4).</p>
Stage 2	Remaining works to Levels 1-4.

(5) GENERAL HERITAGE

- (a) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item.
- (b) The fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction. The protection measures are to be specified in the construction management plan.
- (c) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013.
- (d) New services are to be surface mounted rather than chased-in to existing walls to minimise impact on heritage fabric.
- (e) Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.
- (f) The new windows and doors on the existing building must match the original material, which is timber joinery / steel-framed.
- (g) The face brickwork/stone/tiles must not be rendered, painted or coated.

Reason

To ensure that the development does not result in adverse heritage impacts.

(6) MATERIALS FOR MAKING GOOD

New materials for making good and repairs, are to match the existing in terms of colours, finishes, sizes, profile and properties.

Reason

To ensure appropriate materials and finishes are used.

(7) SIGNAGE STRATEGY

A separate development application is to be submitted seeking approval of any signage strategy for the building. The signage strategy development application must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building.

Reason

To require separate consent to be obtained for a signage strategy.

(8) USE - SEPARATE DA REQUIRED

No consent is granted or implied for the fitout or specific use of each individual tenancy.

A development consent or Complying Development Certificate (as appropriate) is required to be obtained for the fitout and use of each individual tenancy prior to that fitout or use commencing.

Reason

To require separate consent to be obtained for a use.

(9) FLOOR SPACE RATIO - CENTRAL SYDNEY

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio of the proposal must not exceed 10.404:1 calculated in accordance with the *Sydney Local Environmental Plan 2012*. For the purpose of the calculation of FSR, the Gross Floor Area of the approved development is 12,163sqm.
- (b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification of the total and component Gross Floor Areas (by use) in the development, utilising the definition under the *Sydney Local Environmental Plan 2012* applicable at the time of development consent, to the satisfaction of the Principal Certifier.

Reason

To ensure the constructed development complies with the approved floor space ratio.

(10) BUILDING HEIGHT

- (a) The height of the building must not exceed 56.6m being, RL 73.60 (AHD) to the top of the building.
- (b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier.

Reason

To ensure the constructed development complies with the approved height.

(11) EXTERNAL LIGHTING

A separate development application is required to be lodged and approved prior to any external floodlighting or illumination of the building or site landscaping.

Reason

To clarify that consent has not been granted for the external floodlighting or illumination of the development.

(12) NO AIR CONDITIONING UNITS TO FACADE OR BALCONIES OF BUILDING

Approval is not granted for the installation of individual air conditioning units to the facade or balconies of the building.

Reason

To clarify the scope of the consent.

(13) SWINGING DOORS OVER PUBLIC WAY

- (a) Any access doors to enclosures housing building services and facilities, such as hydrant and sprinkler booster assemblies or the like, must not open over the footway/roadway.
- (b) Notwithstanding (a) above, the booster doors may extend over the public way to meet the relevant Australian Standards.

Reason

To ensure no element of the development obstructs the use of the public way.

(14) TACTILE GROUND SURFACE INDICATORS AND HANDRAILS

All tactile ground surface indicators, handrails and other elements required to provide access into the building / property must be located entirely within the private property boundary.

Reason

To ensure ground surface indicators, handrails and other elements required to provide access into the building/property are appropriately located.

(15) PAVING MATERIALS

The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials".

Reason

To ensure appropriate and safe paving materials are used.

(16) WASTE AND RECYCLING MANAGEMENT - GENERAL

The proposal must comply with the relevant provisions of the Sydney Development Control Plan 2012 and Council's *Guidelines for Waste Management in New Developments 2018*, which requires facilities to promote the safe and efficient storage, separation, collection and handling of waste to maximise resource recovery.

Reason

To ensure that waste and recycling is appropriately managed throughout all phases of the development.

(17) ASSOCIATED ROADWAY COSTS

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the

developer. The new road works must be designed and constructed in accordance with the City's "Sydney Streets Technical Specification" including amendments and "Sydney Streets Design Code".

Reason

To ensure all roadway works are designed and constructed in accordance with Council requirements.

(18) COST OF SIGNPOSTING

All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

Reason

To ensure all associated roadway works costs are borne by the developer.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(19) HERITAGE INTERPRETATION PLAN

- (a) An interpretation plan for the existing building must be submitted to and approved by Council's Urban Design and Heritage Manager prior to the Stage 1 Construction Certificate being issued. The plan is to be prepared by a suitably qualified and experienced heritage practitioner or historian.
- (b) The plan should be based on the 2002 *Heritage Interpretation Strategy* and provide reviews and assessments on the existing interpretation device.
- (c) The interpretation plan must detail how information on the history and significance of the building and site will be provided for the public and make recommendations regarding public accessibility, signage and lighting. Public art, details of the heritage design, the display of selected artefacts are some of the means that can be used. In addition, the plan is to include interpretations to the areas and spaces that are altered by the proposal, including the Barrack St western entry and level 11 inner parapets.
- (d) The plan must specify the location, type, making materials and contents of the interpretation device being proposed.
- (e) Prior to registration of the heritage floor space, the approved interpretation plan must be implemented to the satisfaction of Council's Urban Design and Heritage Manager.

Reason

To ensure that the heritage of the site is appropriately interpreted and incorporated into the development.

(20) CONSERVATION OF PAVEMENT LIGHTS

A conservation plan, prepared by a suitably qualified practitioner detailing the conservation, upgrade and ongoing maintenance of the footpath lights, and vaults below, is to be submitted to and approved by Council's Urban Design and Heritage Manager prior to the Stage 1 Construction Certificate being issued. The Principal Certifier must ensure compliance with the approved plan and conservation upgrade works during the period of construction.

Reason

To ensure that the pavement lights are appropriately conserved.

(21) PHOTOGRAPHIC ARCHIVAL DOCUMENTATION (MAJOR WORKS)

Prior to the Stage 1 Construction Certificate being issued, an archival photographic recording of the building is to be prepared to Council's satisfaction. The recording is to be in digital form, prepared in accordance with the NSW Heritage Division of the Department of Environment and Heritage guidelines titled "Photographic Recording of Heritage Items using Film or Digital Capture".

One copy of the record is to be submitted to Council to be lodged with Council's Archives.

Procedure:

For buildings or structures with heritage significance, the archival documentation, and the number and type of selected enlarged photographs required will be determined by the significance and quality of the building or structure. For a scope of work, refer to Council's Heritage Specialist to determine the particular architectural/design features of the building/site that may need to be recorded.

For buildings or structures with no heritage significance the archival documentation requirements are less comprehensive and may just be limited to contextual and exterior photographs only. However, this will depend upon the type, complexity and significance of the building, and should be confirmed with Council's Area Planning Manager, and if necessary, Council's Urban Design and Heritage Manager.

Because significant fabric may remain concealed and only be exposed during construction works, the archival recording is to be undertaken in stages, prior to the removal of any significant building fabric or furnishings from the site, during the removal of fabric on site that exposes significant building fabric or furnishings, and after work has been completed on site, as considered appropriate by the conservation architect commissioned for the project, and submitted as two parts as follows.

- (a) The first submission of the archival recording of significant building fabric or furnishings is to be prior to the removal of any significant building fabric or furnishings from the site and must be submitted to and approved by Council prior to the commencement of any work on site and prior to a Construction Certificate being issued.
- (b) The second submission of the archival recording is of significant building fabric or furnishings that is exposed during demolition or construction and after work has been completed on site and must be submitted to Council prior to any Occupation Certificate being issued.

The form of recording is to be a photographic documentation of the site and its context, and the exteriors and interiors of the existing building(s) photographed, where appropriate, using a camera/lens capable of 'perspective correction'.

- (c) For each of the two submissions listed above in (a) and (b), the digital form of the recording is to be as follows:
 - (i) The Development Application number and the Condition of Consent number must be noted.
 - (ii) Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.
 - (iii) The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue

sheets and base plans. Choose only images that are necessary to document the process and avoid duplicate images.

- (iv) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.
- (v) The report can be submitted on a USB, or digital file transfer in PDF/A format (created directly from the digital original), with a digital catalogue of images with the following data for each location, image subject/description and date.

Reason

To ensure appropriate archival documentation of the building.

(22) SITES IN THE VICINITY OF A HERITAGE ITEM

The approved works must ensure that adjacent heritage buildings are to be suitably protected during the construction process. The contractor or developer must conduct consultations with the stakeholders of the neighbouring heritage site, record and monitor the conditions of the heritage building and take suitable measures to control and minimize any risks to the heritage fabric during construction. The protection measures must be incorporated into the construction management plan. Details of the protection plan must be submitted to and approved by Council's Area Planning Manager prior to the issue of the Stage 1 Construction Certificate.

Reason

To ensure the protection of adjacent/nearby heritage items.

(23) SALVAGE, REUSE AND RECYCLING OF TRADITIONAL BUILDING MATERIALS – MAJOR DEVELOPMENT

Timber elements to be demolished, which include Chubb safe door, timber stair newels and balustrades, floor joists, floorboards, skirting, and metal ceilings in a fair condition, must be salvaged and where possible reused on the project.

Salvaged building materials surplus to the project must either be stored on site for future reuse or transferred to an established second building material dealer for recycling.

Documentation of the salvage methodology must be submitted to and approved by Council's Urban Design and Heritage Manager prior to the issue of the Stage 1 Construction Certificate.

Reason

To ensure the salvaging and reuse of traditional building materials.

(24) BUILDING WORKS TO COMPLY WITH NATIONAL CONSTRUCTION CODE – HERITAGE BUILDINGS OR BUILDINGS WITHIN CONSERVATION AREA

Any building works required to ensure compliance with the NCC (previously known as BCA) or new building standards not specified in the submitted/approved plan must not damage existing fabric and building features. If such upgrading works have impact or potentially have impact on existing fabric and features, details of the works must be submitted and approved by Council's Area Planning Manager prior to issue of the Stage 1 Construction Certificate.

Reason

To ensure an appropriate heritage outcome.

(25) HERITAGE CONSERVATION WORKS – HERITAGE ITEM OR SIGNIFICANT BUILDINGS

- (a) Prior to the issue of the Stage 1 Construction Certificate, a schedule of conservation works to be undertaken concurrent with the works is to be submitted to Council's Urban Design and Heritage Manager for approval.
- (b) The schedule is to detail the conservation of all fabric identified as having a heritage significance, including but not limited to the following: facade stonework, brickwork, parapet brackets and cornice, rear metal wall cladding, concrete lintels, window joinery, glazing, hardware, roof plumbing, roofing, internal timber structure and floors, pavement lights and rear courtyard.
- (c) The schedule is to be supported by outline specifications, methodologies and detailed architectural sections, elevations and plans at 1:20 and 1:5 scales. The details should incorporate any structural and/or building services design for the building.
- (d) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building. Any departure from approved plans requiring additional demolition/chasing of significant fabric is to be discussed with City of Sydney Heritage Specialists for acceptance.
- (e) A schedule of site inspections at key points during construction (like after demolition, before covering significant fabric with new ceilings and floors and/or when design changes impacting significant fabric need to be implemented and required to be discussed with Council) is required to be submitted to City of Sydney for approval.
- (f) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013. Appropriately qualified contractors and tradespersons are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works within the heritage building.
- (g) **INSPECTION AND APPROVAL:** The conservation works are to be progressively inspected by Council Heritage Specialists in accordance with approved scheduled site inspections as per point (e) and be implemented to the satisfaction of Council's Urban Design and Heritage Manager prior to

the issue of any Occupation Certificate or commencement of the use, whichever is the earlier.

Reason

To ensure the carrying out of appropriate heritage conservation works.

(26) USE OF HERITAGE CONSULTANT

- (a) An experienced heritage consultant is to be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The conservation architect is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The heritage consultant is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project.
- (b) Evidence and details of the above commission on the above terms are to be provided to Council prior to the issue of any Construction Certificate or commencement of work on site whichever is the earlier.
- (c) Throughout the documentation and construction stages of the approved works the experienced heritage consultant is to:
 - (i) Undertake site inspections of not less than fortnightly intervals.
 - (ii) Maintain a diary of site inspections that includes photographs of the works, details of heritage advice and decisions arising out of each inspection and any further physical evidence uncovered during the works.
 - (iii) Compile a final report, including the diary, verifying how the heritage conditions have been satisfied, and the works completed in accordance with the Conservation Management Plan.
- (d) Upon completion of the works, the final report is to be submitted for approval by Council's Urban Design and Heritage Manager Area Planning Manager prior to the issue of any Occupation Certificate or the commencement of the use, whichever is earlier.

Reason

To ensure that the implementation of the approved development is carried out in a manner that does not have adverse heritage impacts.

(27) STRUCTURAL CERTIFICATION FOR EXISTING BUILDING – ALTERATIONS AND ADDITIONS

A qualified practising registered structural engineer must provide structural certification to the Registered Certifier verifying that the existing structure can adequately support the proposed new loads, and the structural design complies with the Structural Provisions of the *Building Code of Australia* prior to the Stage

1 Construction Certificate being issued. The proposed additional loads and/or alterations must not cause a decrease in the existing structural performance of the building including its performance under earthquake actions (AS1170.4).

Reason

To ensure the existing structure can support the new loads.

(28) CONSTRUCTION TRAFFIC MANAGEMENT PLAN

- (a) A Construction Traffic Management Plan must be submitted to and approved by Council prior to the Stage 1 Construction Certificate being issued.
- (b) The approved plan must be complied with during any demolition and/or construction work.

Reason

To ensure that the impacts of construction traffic is appropriately managed.

(29) DILAPIDATION REPORT – MINOR

Subject to the receipt of permission of the affected landowner, dilapidation report/s of adjoining buildings are to be prepared by an appropriately qualified practising structural engineer and submitted for the approval of the Registered Certifier prior to the issue of the Stage 1 construction certification.

Reason

To ensure that dilapidation reports are prepared and to identify damage to for adjoining/nearby properties resulting from building work on the development site.

(30) DILAPIDATION REPORT - PUBLIC DOMAIN

Prior to an approval for demolition and preparatory works being granted or the issue of the Stage 1 Construction Certificate, whichever is earlier, a photographic recording of the public domain site frontages is to be prepared as described in the Public Domain Manual and submitted for approval by Council's Public Domain Unit. The City's *Public Domain Manual* is available for download from the City's website at <https://www.cityofsydney.nsw.gov.au/>

The submission is to include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

Reason

To establish and document the condition of the public domain for comparison as building work progresses and is completed.

(31) PUBLIC DOMAIN DAMAGE BOND

- (a) A Public Domain Damage Deposit calculated on the basis of 7 square metres of asphalt site frontage must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The bond must be provided as security for repairing any damage to the public domain in the vicinity of the site.
- (b) The City's Public Domain Unit must be contacted to determine the bond amount prior to lodgement. The Bond must be lodged with the City prior to an approval for demolition being granted or any Construction Certificate being issued, whichever is earlier.
- (c) The bond in this condition will be released in full when the Final Occupation Certificate has been issued, and any rectification works to the footway and Public Domain are completed to Council's satisfaction. If rectification works are required the City will release 90% of the total Bond, with the remaining 10% balance to be held for the duration of a 6 months Defect Liability Period.

Reason

To allow for the appropriate management and rectification of damage to the public domain.

(32) COMPLIANCE WITH THE ACOUSTIC REPORT PRIOR TO CONSTRUCTION AND OR OCCUPATION CERTIFICATES

- (a) All relevant performance parameters (including but not limited to requirements, engineering assumptions and recommendations) in the DA Acoustic Report, prepared by Acoustic Studio, dated 02 October 2024, ref 20241002 JPW3553.0002.Rep.docx, titled 343 George Street Acoustic Assessment for Development Application, Council Ref 2025/235908 must be implemented in the development prior to the commencement of its use
- (b) Prior to the issue of any relevant Construction Certificate, the final construction drawings and final construction methodology must be assessed and reported to be in accordance with the requirements of the DA Acoustic Report in (a) above, with reference to relevant documentation. This must be done by a Suitably Qualified Acoustic Consultant* (see definition below). This work will be to the satisfaction of the Registered Certifier.
- (c) Prior to the issue of any Occupation Certificate, a Suitably Qualified Acoustic Consultant* is to provide a written Acoustic Verification Report to the satisfaction of the Principal Certifier that the development complies with the requirements set out in the Report and in (a) and (b) above.

Note: Suitably Qualified Acoustic Consultant means a consultant who possesses the qualifications to join the Australian Acoustical Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustical Consultants (grade of member firm).

- (d) All physical aspects of the building's structure installed in order to meet performance parameters in accordance with this condition must be maintained at all times.

Reason

To ensure all parties are aware of the supporting documentation that applies to the development.

(33) DEMOLITION, EXCAVATION AND CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

A site-specific noise management plan must be submitted to the Council for comment and approval prior to issue of the Stage 1 Construction Certificate. The Plan must be prepared by a suitably qualified acoustic consultant who is a person who possesses the qualifications to join the Australian Acoustic Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustic Consultants (grade of member firm). The plan must include but not be limited to the following:-

- (a) Identification of noise sensitive receivers near to the site.
- (b) A prediction as to the level of noise impact likely to affect the nearest noise sensitive receivers from the use and proposed number of high noise intrusive appliances intended to be operated onsite. A statement should also be submitted outlining whether predicted noise levels will comply with the noise criteria stated within the *City of Sydney Construction Hours /Noise Code of Practice 1992* for the typical construction hours of 07.00am to 7.00pm. Where resultant site noise levels are likely to be in exceedance of this noise criteria then a suitable proposal must be given as to the duration and frequency of respite periods that will be afforded to the occupiers of neighbouring property.
- (c) A representative background noise measurement ($L_{A90, 15 \text{ minute}}$) should be submitted, assessed in the vicinity of any potentially affected receiver locations and measured in accordance with AS 1055:1.2.1997.
- (d) Confirmation of the level of community consultation that has/is and will be undertaken with Building Managers/ occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
- (e) Confirmation of noise monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum and to ensure that noise from site works complies with the noise criteria contained within City's Construction Noise Code.
- (f) What course of action will be undertaken following receipt of a complaint concerning offensive noise.
- (g) Details of any noise mitigation measures that have been outlined by an acoustic consultant or otherwise that will be deployed on site to reduce

noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.

- (h) What plant and equipment is to be used on site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring property and other less intrusive technologies available.

Reason

To ensure an adequate construction noise and vibration management plan is prepared.

(34) BICYCLE PARKING AND END OF TRIP FACILITIES

- (a) The minimum number of bicycle parking spaces and end of trip facilities to be provided within the site boundary for the development must comply with the table below.

Bicycle Parking Type	Number	Requirements
Staff/Employee	77	Spaces must be a class 2 bicycle spaces
Visitor / Customer	39	Spaces can be Class 2 or Class 3 bicycle rails. Spaces to be separated from staff bicycle parking.
End of Trip Facility Type	Number	
Showers with change area	12	Separate male and female facilities.
Personal lockers	128	Separate male and female facilities.

All bicycle parking spaces and end of trip facility must be provided on private land. The public domain cannot be used to satisfy this condition.

Notes:

- (i) If a basement storage area on title that is large enough to store a bike and is no smaller than a class 1 bike locker this can be counted as a space.
- (b) The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 Parking Facilities Part 3: Bicycle Parking Facilities. The details must be submitted to and approved by the Registered Certifier confirming prior to and form part of the Stage 1 Construction Certificate being issued.

Reason

To ensure the allocation of bicycle parking onsite that is in accordance with Australian Standards and the Council's DCP.

(35) NATIONAL CONSTRUCTION CODE COMPLIANCE - ALTERATIONS AND ADDITIONS - UPGRADE OF BUILDING IS REQUIRED

Pursuant to Section 64 of the Environmental Planning and Assessment Regulation 2021, the building is to be upgraded in accordance with pages 4-7 of the report titled 'SECTION 64 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021 ASSESSMENT STATEMENT HAVING REGARD TO THE BUILDING CODE OF AUSTRALIA 2022, dated 2 July 2025, prepared by Philip Chun Building Compliance.

Prior to the issuing of a construction certificate the Registered Certifier must ensure that the proposed works satisfy the above report.

Reason

To ensure the works comply with relevant regulations.

(36) DESIGN FOR ENVIRONMENTAL PERFORMANCE

- (a) Prior to the issue of any Construction Certificate, the Registered Certifier must be satisfied that those matters listed in the following sections of the approved Design for Environmental Performance report prepared by Preeti Chandak dated Wednesday, July 2, 2025 (Council Ref: 2025/401431) are incorporated into the relevant construction plans and accompanying documentation
 - (i) Section 4 – Energy Efficiency and Greenhouse Gas Emissions Abatement
 - (ii) Section 5 – Passive Design for Thermal Performance – Building Envelope Design
 - (iii) Section 6 – On site Renewable Energy Generation and Storage
 - (iv) Section 7 – Design for Resilience to Climate Change
 - (v) Section 8 – Designing for mains potable water savings and water efficiency
 - (vi) Section 9 – Storm water quality
 - (vii) Section 10 – City Greening
 - (viii) Section 11 – Promoting Active Transport and Reducing Transport Emissions
 - (ix) Section 12 – Materials, Embodied Carbon and Circularity
 - (x) Section 13 – Waste Management and Resource Recovery

- (xi) Section 14 – Third Party Certification and Design, Construction or Technology Innovations
- (c) Changes to any commitments as listed in the approved Design for Environmental Performance report must be submitted to and approved by Council's Area Planning Manager/Coordinator prior to the issue of any relevant Construction Certificate.

Reason

To ensure the environmental performance of the development.

(37) ENERGY PERFORMANCE – NABERS

The design of the building and its services must achieve a National Australian Built Environment Rating System (NABERS) Energy rating of 5 Star in operation for the base building. This is to be demonstrated by:

- (a) Entering into a Commitment Agreement with the NABERS National Administrator, to deliver this star rating for the base building. A copy of the signed Commitment Agreement contract is required; and
- (b) Providing a copy of the Estimator's report and Independent Design Review report to the NABERS National Administration and submitting the same reporting with the Construction Certificate application. The reporting must demonstrate the developments capacity to meet the NABERS star rating and the overperformance requirement mandated by the City.

The required documents specified above are to be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate.

Note: Definitions referred to above are as follows:

- (i) Commitment Agreement means an agreement that is set out in accordance with the NABERS National Administrator. The NABERS Commitment Agreement, which is signed between a NABERS authorised signatory and the applicant/building owner/building manager, is a commitment to design, build and commission the premises to achieve an agreed star rating.
- (ii) Star rating refers to the benchmarking system applied by the NABERS National Administrator for measuring the energy efficiency of a building.
- (iii) Base building means central services and common areas of a building, as defined under NABERS.
- (iv) Whole building refers to the base building and tenant occupied spaces, as defined under NABERS.
- (v) Estimate report refers to the report created by the Estimator which sets out a realistic estimate of the operational performance of the project determined.
 - a. In accordance with the NABERS Handbook; and

- b. Without reference, calculation or consideration to GreenPower or other offsite renewable energy.
- (vi) Independent Design Review report is a report prepared in respect to the Independent Design Review by the Reviewer.

Reason

To ensure the building achieves the stated energy use performance rating and to reduce greenhouse gas emissions.

(38) EMBODIED EMISSIONS REPORTING

Prior to the issue of a Construction Certificate, as per requirements under the Sustainable Buildings SEPP, embodied emissions reporting is to be updated to reflect finalised material specifications and increased design detail. If the NABERS Embodied Emissions Tool is active prior to submission of construction certificate documentation, then reporting is to be provided through the tool.

Reason

To ensure quantification of embodied emissions from the development.

(39) NABERS WATER RATING

The design of the building and its services must achieve a National Australian Built Environment Rating System (NABERS) Water rating of 3 Stars in operation. This is to be demonstrated by:

- (a) Submitting a signed NABERS Agreement to Rate for the required star rating; and
- (b) Providing a Water Use Assessment Report prepared by a suitably qualified person, demonstrating the building is capable of achieving a NABERS water rating of 3 Stars. The Water Use Assessment Report should include calculations in line with the Green Building Council of Australia's (GBCA) Water Use calculator, or other equivalent methodology.

The report and NABERS Agreement to Rate are to be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate.

Reason

To ensure that the building complies with the 3 Star NABERS water rating required under the State Environmental Planning Policy (Sustainable Buildings) 2022.

(40) DEWATERING - APPROVAL NSW OFFICE OF WATER

If any dewatering of the site is to be undertaken, a bore licence may be required from the NSW Office of Water under the provisions of Part V of the Water Act 1912. The NSW Office of Water licences dewatering to allow excavation for construction for a temporary period, usually 12 months.

NOTE: The Department's instructions to Council are that they will not endorse the extraction of groundwater in perpetuity i.e. permanent dewatering around a development site, because it considers such development to be unsuitable. For this reason any proposed basement or other area that requires dewatering on an on-going basis may need to be fully tanked.

Reason

To ensure dewatering is undertaken appropriately.

BEFORE BUILDING WORK COMMENCES

(41) APPLICATION FOR HOARDINGS AND SCAFFOLDING INSTALLED ON OR ABOVE A PUBLIC ROAD AND OPERATING HOISTING DEVICES INCLUDING BUILDING MAINTENANCE UNITS OVER A PUBLIC ROAD

- (a) Where a hoarding and/or scaffolding (temporary structures) are proposed to be installed on or above a road reservation (footway and/or roadway), a separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 1993* must be submitted to and approved by Council for such structures.
- (b) Where an approval (Permit) is granted allowing the placement of temporary structures on or above a public road the structures must comply fully with Council's *Hoarding and Scaffolding Policy; Guidelines for Hoardings and Scaffolding*; and the conditions of approval (Permit) granted including:
 - (i) maintaining a current and valid approval for the full duration that the temporary structure/s is in place;
 - (ii) maintaining temporary structure/s in a structurally sound and stable condition for the full duration of installation (Clause 2.11.1);
 - (iii) bill posters and graffiti being removed within 24 hours of their placement (Clause 2.11.2);
 - (iv) maintaining temporary structures and the public place adjoining the work site in a clean and tidy condition including repainting and/or repair of graphics (Clauses 2.11.1, 2.11.4, 2.14.1 and 3.9.3);
 - (v) maintaining a watertight deck (Type B hoardings) to prevent liquids including rainwater, falling onto the footway/roadway surfaces (Clauses 3.9.1 and 3.9.4);
 - (vi) approved site sheds on the decks of a Type B hoarding being fully screened from the public place (Clause 3.9.5);
 - (vii) material and equipment not being placed or stored on the deck of Type B hoardings, unless specifically approved by Council (Clause 3.9.4);

- (viii) providing and maintaining operational artificial lighting systems under Type B hoardings including at high-bay truck entry points (Clause 3.9.9); and
- (ix) ensuring all required signage, artwork or historic images are provided and fully maintained to the City's requirements (Clauses 3.4, 3.9.3, 3.9.6, 3.9.8, 3.10.1 and 4.2).

If it is proposed to operate a hoisting device including a building maintenance unit above a public road which swings, hoists material/equipment and/or slews/wind vanes any part of the device over the public road, a separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 1993* must be made to Council to obtain approval.

Note: 'Building maintenance unit' means a power-operated suspended platform and associated equipment on a building specifically designed to provide permanent access to the faces of the building for maintenance (*Work Health and Safety Regulation 2017*).

Reason

To ensure the necessary approval is obtained for temporary structures over a public road.

(42) PUBLIC DOMAIN WORK – CONSTRUCTION APPROVAL UNDER SECTION 138 ROADS ACT 1993

Prior to the construction of any public domain works, approval under Section 138 / 139 of the *Roads Act 1993* must be issued by the City's Public Domain Unit.

Reason

To ensure relevant approvals for public domain work are obtained.

DURING BUILDING WORK

(43) USE OF INTRUSIVE APPLIANCES – NOT APPROVED

This development consent does not extend to the use of appliances which emit noise of a highly intrusive nature (such as pile - drivers and hydraulic hammers) or are not listed in Groups B, C, D, E or F of Schedule 1 of the *City of Sydney Code of Practice for Construction Hours/Noise 1992*".

A separate Section 4.55 application must be submitted to the Council for the use of any equipment of a highly intrusive nature (such as pile - drivers and hydraulic hammers) or are not listed in Groups B, C, D, E or F of Schedule 1 of the *City of Sydney Code of Practice for Construction Hours/Noise 1992*.

Reason

To ensure the acoustic amenity of surrounding developments is maintained.

(44) ARCHAEOLOGICAL DISCOVERY DURING EXCAVATION

- (a) Should any relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the Heritage Act 1977.
- (b) Should any Aboriginal objects be unexpectedly discovered then all excavation or disturbance of the area is to stop immediately and NSW Government Office of Environment and Heritage is to be informed in accordance with Section 89A of the *National Parks and Wildlife Act 1974*.
- (c) Should any archaeological remains or Aboriginal objects be discovered, a copy of recording of the finds and the final archaeological summary report is to be submitted to Council prior to the issue of any Occupational Certificate.
- (d) If the discovery is on Council's land, Council must be informed.

Reason

To ensure that the archaeology of the site is appropriately managed and protected.

(45) ASBESTOS REMOVAL WORKS

- (a) All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Safework NSW, holding either a Friable (Class A) or a Non-Friable (Class B) Asbestos Removal Licence which ever applies.

A copy of the relevant licence must be made available to any authorised Council officer on request within 24 hours.

- (b) Five days prior to the commencement of licensed asbestos removal, Safework NSW must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification must identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.
- (c) All work must be carried out in accordance with the *Work Health and Safety Regulation 2017* and the NSW Government and SafeWork NSW document entitled *How to manage and control asbestos in the work place: Code of Practice (Safework NSW)* December 2011 and the *City of Sydney Managing Asbestos Policy* dated 21 October 2013 and associated guidelines.

Reason

To ensure that the handling and removal of asbestos from the site is appropriately managed.

(46) HOURS OF WORK AND NOISE – CBD

The hours of construction and work on the development must be as follows:

- (a) All work, including demolition, excavation and building work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 7.00pm on Mondays to Fridays, inclusive, and 7.00am and 5.00pm on Saturdays, and no work must be carried out on Sundays or public holidays.
- (b) All work, including demolition, excavation and building work must comply with the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.
- (c) Notwithstanding the above, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on-street use of mobile cranes outside of above hours can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Note: Works may be undertaken outside of hours, where it is required to avoid the loss of life, damage to property, to prevent environmental harm and/or to avoid structural damage to the building. Written approval must be given by the Construction Regulation Team, prior to works proceeding.

The *City of Sydney Code of Practice for Construction Hours/Noise 1992* allows extended working hours subject to the approval of an application in accordance with the Code and under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

Reason

To protect the amenity of the surrounding area.

(47) SITE NOTICE OF PROJECTS DETAILS AND APPROVALS

A site notice is to be prominently displayed at the boundary to each frontage of the site for the purposes of informing the public of appropriate project details and relevant approvals. The notice(s) is to satisfy all of the following requirements:

- (a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (b) The notice is to be durable and weatherproof and is to be displayed throughout the construction period;
- (c) A copy of the first page of the development approval, building approval (including any modifications to those approvals) and any civic works approvals is to be posted alongside the notice in weatherproof casing;

- (d) The approved hours of work, the Principal Certifier including contact address and certification details, the name of the site manager, the responsible managing company, its address and 24 hour contact phone number for any enquiries, including construction/noise complaint, and the estimated date of completion of the project are to be displayed on the site notice;
- (e) The notice(s) is to be mounted at eye level on the perimeter hoardings and is also to state that unauthorised entry to the site is not permitted.
- (f) All notices and signs must be displayed in locations as specified in the City's Guidelines for Hoardings and Scaffolding.

Reason

Prescribed condition EP&A Regulation 2021, Section 70.

(48) EROSION AND SEDIMENT CONTROL - LESS THAN 250SQM

Where less than 250 square metres are being disturbed, no formal plan is required however, the site is to be provided with sediment control measures and these must be implemented so that sediment, including soil, excavated material, building material or other materials cannot fall, descend, percolate, be pumped, drained, washed or allowed to flow to the street, stormwater system or waterways.

Reason

To ensure that appropriate erosion and sediment control measures are put in place during construction to protect the environment.

(49) COVERING OF LOADS

All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

Reason

To ensure loads are managed appropriately and do not impact local amenity.

(50) VEHICLE CLEANSING

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

Reason

To ensure sediment is not tracked onto the roadway.

(51) LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site, where possible.
- (b) If, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (d) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate application under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993 must be submitted to and approved by Council.

Reason

To protect the amenity of the public domain.

(52) NO OBSTRUCTION OF PUBLIC WAY

Unless otherwise approved by Council, the public way must not be obstructed by any materials, vehicles, waste receptacles, skip-bins or the like. Non-compliance with this requirement may result in the issue of a notice by Council to stop all work on the site.

Reason

To protect the amenity of the public domain.

(53) USE OF MOBILE CRANES

The following requirements apply:

- (a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.
- (b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (c) The use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on-street use of mobile cranes outside of approved hours of construction can occur, subject to a separate application being submitted to and approved by Council under Section 68

of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Reason

To ensure mobile cranes are used appropriately.

(54) HOLD POINTS

Prior to an approval being issued for the construction of public domain and / or planning agreement works, including civil, drainage and subsurface works, a set of hold points will be provided by the City's Public Domain Unit in accordance with the City's Public Domain Manual and Sydney Streets Technical Specification. The list of hold point inspections will be included in the Public Domain works approval letter.

These hold point inspections must be adhered to during construction works. Prior to the issue of any Occupation Certificate, confirmation from the City's Public Domain Unit, that hold point inspections have been completed and works have been accepted by the City must be provided to the Principal Certifier.

Reason

To ensure hold points are adhered to during construction works.'

(55) CLASSIFICATION OF WASTE

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the Protection of the *Environment Operations Act 1997* and the *NSW EPA Waste Classification Guidelines, Part1: Classifying Waste (November 2014)*. The classification of the material is essential to determine where the waste may be legally taken. The *Protection of the Environment Operations Act 1997* provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for a particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the EPA.

Reason

To ensure that waste from site is classified and disposed of appropriately.

(56) DISCHARGE OF CONTAMINATED GROUNDWATER

Contaminated groundwater must not be discharged into the City's stormwater drainage system.

Options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason

To ensure that the discharge of ground water is appropriately managed.

(57) IMPORTED FILL MATERIALS

All fill imported onto the site must be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

The City may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:

- (a) Imported fill must be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- (b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (2022) Sampling Design Guidelines.

Reason

To ensure that imported fill is not contaminated.

(58) NOTIFICATION – NEW CONTAMINATION EVIDENCE

Council's Area Planning Manager and the Principal Certifier must be notified of any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination.

Reason

To ensure that the site is appropriately remediated.

(59) STOCKPILES

- (a) No stockpiles of soil or other materials must be placed on footpaths or nature strips unless prior approval has been obtained from the City's Construction Regulation Team.
- (b) All stockpiles of soil or other materials must be placed away from drainage lines, gutters or stormwater pits or inlets.
- (c) All stockpiles of soil or other materials likely to generate dust or odours must be covered.
- (d) All stockpiles of contaminated soil must be stored in a secure area and be covered if remaining more than 24 hours.

Reason

To ensure that stockpiles of soil or other materials are appropriately managed.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(60) COSTED HERITAGE ASSET MAINTENANCE PLAN

- (a) To ensure the continued protection of heritage significance of the heritage item and to guide the future maintenance on heritage fabric, a costed Heritage Asset Maintenance Plan is to be developed. The following is to apply:
 - (i) The Plan is to be based the NSW Heritage Division of the Department of Environment and Heritage publication: 'Preparing a maintenance plan', and is to be a guide for the effective, continuous, protective maintenance of all significant heritage fabric for a minimum period of 20 years.
 - (ii) The Plan is to include all fabric identified as being of heritage significance, specification notes and methodologies based on the Articles of the Australian ICOMOS Burra Charter 2013 and best conservation practise, and a list of appropriate consultants and suppliers together with the projected costing for each item of work.
 - (iii) The Plan is to be prepared by the Conservation Architect and is to be submitted to Council for approval prior to the issue of any Occupation Certificate.

Reason

To ensure the continued protection of the heritage significance of the heritage item and to guide the future maintenance of heritage fabric.

(61) PHYSICAL MODELS

- (a) Prior to the issue of any Occupation Certificate an accurate 1:500 scale model of the development as constructed must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the City Model in Town Hall House.

Note:

- (i) The models must be constructed in accordance with the Model Specifications available online at <http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements> Council's modellers must be consulted prior to construction of the model.
- (ii) The models are to comply with all of the conditions of the Development Consent.
- (iii) The models must be amended to reflect any further modifications to the approval (under Section 4.55 of the *Environmental Planning and Assessment Act*) that affect the external appearance of the building.

Reason

To ensure the provision of an appropriate physical model of the development.

(62) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO OCCUPATION CERTIFICATE

- (a) Prior to any Occupation Certificate being issued, an accurate 1:1 electronic CAD model of the completed development must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the electronic Visualisation City Model.
- (b) The data required to be submitted within the surveyed location must include and identify:
 - (i) building design above and below ground in accordance with the development consent;
 - (ii) all underground services and utilities, underground structures and basements, known archaeological structures and artefacts;
 - (iii) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C.

The data is to be submitted as a DGN or DWG file on a Compact Disc. All modelling is to be referenced to the Map Grid of Australia (MGA) spatially located in the Initial Data Extraction file.

- (c) The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at <http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements> Council's Modelling staff should be consulted prior to creation of the model. The data is to comply with all of the conditions of the Development Consent.

Reason

To ensure the provision of an appropriate electronic model of the development.

(63) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL

Prior to the issue of an **Occupation Certificate**, the Principal Certifier is to ensure all waste management, collection, loading and supporting infrastructure is provided in accordance with the stamped plans, approved Operational Waste Management Plan and specifications approved at the Construction Certificate.

Reason

To ensure all on-site infrastructure has been provided to support scheduled collections responsive to the Council endorsed OWMP and requirements of the Guidelines for waste management in new developments 2018.

(64) SURVEY CERTIFICATE PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

Prior to the issue of any type of Occupation Certificate for the building, a Final Identification Survey prepared and signed by a Surveyor registered under the

Surveying & Spatial Information Act 2002 must be submitted at the completion of the building work certifying the location of the building and showing offsets in relation to the boundaries of the allotment.

Any encroachments of the building including gutters and downpipes over the side boundaries or rear lane that are not approved in the DA must be removed, or where approved, appropriate easements under Section 88B of the Conveyancing Act 1919, with terms to the satisfaction of Council, must be lodged with the office of NSW Land Registry Services, and evidence of lodgement provided to the Principal Certifier prior to the issue of any type of Occupation Certificate. Encroachments upon public roads must, if supported, be approved by Council's Area Planning Manager prior to the issue of any type of Occupation Certificate.

Reason

To ensure that either the building does not encroach, or that any encroachments are formalised on title.

(65) PUBLIC DOMAIN WORKS COMPLETION

The Public Domain works are to be constructed in accordance with the Public Domain Works Approval letter, stamped plans for Public Domain Levels and Gradients, Stormwater, Public Domain Lighting, the City's *Public Domain Manual*, *Stormwater Drainage Manual*, *Sydney Lights Design Code* and *Sydney Streets Technical Specification*.

The public domain work must be inspected and a Public Domain Work Letter of Completion Operational Acceptance must be issued by Council's Public Domain Officer prior to the issue of any Occupation Certificate or before the commencement of use, whichever is earlier.

Reason

To ensure the public domain works are completed in accordance with the approved documents and Council's requirements.

(66) PUBLIC DOMAIN COMPLETION – WORK AS EXECUTED DOCUMENTATION

Prior to a Public Domain Works Letter of Completion Operational Acceptance being issued for public domain works, works-as-executed (As-Built) plans and documentation, must be submitted to and accepted by the City of Sydney for all public domain works, including where required Stormwater, Public Domain Lighting and road construction. These works must be certified by a suitably qualified, independent professional. Details of the documentation required for approval will be advised by the City's Public Domain Unit.

Reason

To ensure Council receives works-as-executed documentation for public domain works.

OCCUPATION AND ONGOING USE

(67) OCCUPATION CERTIFICATE TO BE SUBMITTED

An Occupation Certificate must be obtained from the Principal Certifier and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

Reason

To ensure the site is authorised for occupation.

(68) ENCROACHMENTS – PUBLIC WAY

No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

Reason

To protect the public way.

(69) NOISE – COMMERCIAL PLANT / INDUSTRIAL DEVELOPMENT

- (a) Noise from commercial plant and industrial development must not exceed a project amenity/intrusiveness noise level or maximum noise level in accordance with relevant requirements of the NSW EPA [Noise Policy for Industry 2017 \(NPfI\)](#) unless agreed to by the City's Area Planning Manager. Further:
 - (i) Background noise monitoring must be carried out in accordance with the long-term methodology in [Fact Sheet B](#) of the NPfI unless otherwise agreed by the City's Area Planning Manager.
 - (ii) Commercial plant is limited to heating, ventilation, air conditioning, refrigeration and energy generation equipment.
- (b) An $L_{Aeq,15 \text{ minute}}$ (noise level) emitted from the development must not exceed the $L_{A90, 15 \text{ minute}}$ (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time. Further:
 - (i) The noise level and the background noise level must both be measured with all external doors and windows of the affected residence closed.
 - (ii) Background noise measurements must not include noise from the development but may include noise from necessary ventilation at the affected premises.
- (c) Corrections in [Fact Sheet C](#) of the NPfI are applicable to relevant noise from the development measured in accordance with this condition, however duration corrections are excluded from commercial noise.

Reason

To protect the acoustic amenity of surrounding properties.

(70) NOISE - ENTERTAINMENT

- (a) The $L_{Aeq, 15 \text{ minute}}$ noise level from the use must not exceed the background noise level ($L_{A90, 15 \text{ minute}}$) in any octave band (reference frequency 31.5 Hz to 8 kHz inclusive) by more than 5dB between 7.00am and 12.00 midnight when assessed at the boundary of any residential accommodation or tourist and visitor accommodation.
- (b) The $L_{Aeq, 15 \text{ minute}}$ noise level from the use must not exceed the background noise level ($L_{A90, 15 \text{ minute}}$) in any octave band (reference frequency 31.5 Hz to 8 kHz inclusive) between 12.00 midnight and 7.00am when assessed at the boundary of any residential accommodation or tourist and visitor accommodation.
- (c) Notwithstanding (a) above, the $L_{Aeq, 15 \text{ minute}}$ noise level from the use must not exceed the greater of the following levels between 7am and 12 midnight inside any habitable room of a residential accommodation or tourist and visitor accommodation, or at any time in an affected commercial premises:
 - (i) The existing internal $L_{A90, 15 \text{ minute}}$ (from external sources excluding the use) in any octave band (reference frequency 31.5 Hz to 8 kHz inclusive). Or,
 - (ii) If the $L_{Z90, 15 \text{ minute}}$ background level is below the hearing threshold curve (Tf - Table 1 of ISO 226 : 2003) in an above octave band, the lowest audible sound level (L_p) of the Tf curve in that octave band shall become that octave's $L_{Zeq 15 \text{ minute}}$ noise criteria level.
- (d) Notwithstanding (b) above, the $L_{A1 15 \text{ minute}}$ noise level from the use must not exceed the greater of the following sound pressure levels inside any habitable room between 12 midnight and 7am inside any habitable room of an affected residential accommodation or tourist and visitor accommodation:
 - (i) The existing internal $L_{A90, 15 \text{ minute}}$ (from external sources excluding the use) minus 10 dB in any octave band (reference frequency 31.5 Hz to 8 kHz inclusive) inside a habitable room of an affected residential accommodation or tourist and visitor accommodation. Or,
 - (ii) If the $L_{Z90, 15 \text{ minute}}$ minus 10 dB level is below the hearing threshold curve (Tf - Table 1 of ISO 226 : 2003) in an above octave band, the lowest audible sound level (L_p) of the Tf curve in that octave band shall become that octave's $L_{Z1 15 \text{ minute}}$ noise criteria level.

Note: L_{eq} , L_{01} , and L_{90} , metrics and 'A' (weightings) are as per the definitions in the standard AS1055-20148. 'Z' means unweighted noise. An internal L_{A90} level must be determined in the absence of noise emitted by the use and be sufficiently representative of the receiver in a low noise level quiet state. External L_{A90} levels for planning must be established as per the long-term methodology in Fact Sheet B of the NPfI unless otherwise agreed by the City's Area Planning Manager.

Reason

To protect the acoustic amenity of surrounding properties.

(71) BICYCLE PARKING SIGNAGE AND WAYFINDING PLAN

Signage directing users to the bicycle parking and the End of Trip facility is to be installed from the street level between the main entry point/s, bike parking and End of Trip facilities. In addition, signage directing vehicle drivers using the parking areas, including on the ramp, to watch for people accessing the bike parking is to be installed. Signage can include on the ground line marking. Signage is to be generally in accordance with signage in Australian Standard AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking Facilities. The signage plan must be submitted to and approved by Area Planning Manager of the Council prior to the Occupation Certificate for the site being granted.

Signage is to be installed and approved by the Registered Certifying Authority prior to an Occupation Certificate being issued and must be maintained in good order at all times.

Reason

To ensure that the signage and wayfinding is installed correctly.

(72) LOADING DOCK MANAGEMENT PLAN

A Loading Dock Management Plan is to be prepared for distribution to relevant tenants outlining how the loading dock will be managed and used by all relevant tenants. The Plan must include, but is not limited to, management of deliveries to ensure vehicles are not waiting on public streets to enter the site.

The plan is to be prepared and submitted to and approved by Council's Area Planning Manager prior to issue of an Occupation Certificate.

Once approved, this management plan is to be provided to all relevant tenants and external users of the loading area.

Reason

To ensure that the loading dock is appropriately managed.

(73) DEFECTS LIABILITY PERIOD – PUBLIC DOMAIN WORKS

All works to the City's public domain, including rectification of identified defects, are subject to a 6 month defects liability period from the date of Completion. The date of Completion will be nominated by Council on the Public Domain Works – Letter of Completion Operational Acceptance.

Reason

To ensure all works to the City's public domain are protected under a liability period.

SCHEDULE 2

PRESCRIBED CONDITIONS

The applicant must comply with all relevant conditions contained in Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021* which apply to the development:

Refer to the NSW State legislation for full text of the clauses under Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021*. This can be accessed at: <http://www.legislation.nsw.gov.au>

SCHEDULE 3

Heritage NSW General Terms of Approval.

in accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, to grant the following General Terms of Approval:

Approved development

1. Development must be in accordance with:

a. Architectural drawings, as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: 343 George Street			
AR-JPW-DA-000000	DA-COVER SHEET	23.08.24	A
AR-JPW-DA-010000	DA - SITE PLAN	23.08.24	A
AR-JPW-DA-050000	DA - EXISTING PLAN - LEVEL B2	23.08.24	A
AR-JPW-DA-050100	DA - EXISTING PLAN - LEVEL B1	23.08.24	A
R-JPW-DA-050200	DA - EXISTING PLAN - GROUND FLOOR	23.08.24	A
AR-JPW-DA-050300	DA - EXISTING PLAN - LEVEL 01	23.08.24	A
AR-JPW-DA-050400	DA - EXISTING PLAN - LEVEL 02	23.08.24	A
AR-JPW-DA-050500	DA - EXISTING PLAN - LEVEL 03	23.08.24	A
AR-JPW-DA-050600	DA - EXISTING PLAN - LEVEL 04	23.08.24	A
AR-JPW-DA-050700	DA - EXISTING PLAN - LEVEL 05	23.08.24	A
AR-JPW-DA-050800	DA - EXISTING PLAN - LEVEL 06	23.08.24	A
AR-JPW-DA-050900	DA - EXISTING PLAN - LEVEL 07	23.08.24	A
AR-JPW-DA-051000	DA - EXISTING PLAN - LEVEL 08	23.08.24	A
AR-JPW-DA-051100	DA - EXISTING PLAN - LEVEL 09	23.08.24	A
AR-JPW-DA-051200	DA - EXISTING PLAN - LEVEL 10	23.08.24	A
AR-JPW-DA-051300	DA - EXISTING PLAN - LEVEL 11	23.08.24	A
AR-JPW-DA-051400	DA - EXISTING PLAN - LEVEL 12	23.08.24	A
AR-JPW-DA-051500	DA - EXISTING PLAN - LEVEL 13	23.08.24	A
AR-JPW-DA-051600	DA - EXISTING PLAN - ROOF PLAN	23.08.24	A
AR-JPW-DA-052000	DA - EXISTING SOUTH ELEVATION	28.05.25	A
AR-JPW-DA-052010	DA - EXISTING EAST ELEVATION	28.05.25	A
AR-JPW-DA-052020	DA - EXISTING NORTH & WEST ELEVATIONS	28.05.25	A

AR-JPW-DA-053000	DA - EXISTING SECTIONS	03.06.25	A
AR-JPW-DA-100000	DA PLAN - LEVEL B2	23.08.24	A
AR-JPW-DA-100100	DA PLAN - LEVEL B1	23.08.24	A
AR-JPW-DA-100200	DA PLAN - GROUND FLOOR	23.08.24	A
AR-JPW-DA-100300	DA PLAN - LEVEL 01	23.08.24	A
AR-JPW-DA-100400	DA PLAN - LEVEL 02	23.08.24	A
AR-JPW-DA-100500	DA PLAN - LEVEL 03	23.08.24	A
AR-JPW-DA-100600	DA PLAN - LEVEL 04	23.08.24	A
AR-JPW-DA-100700	DA PLAN - LEVEL 05	23.08.24	A
AR-JPW-DA-100800	DA PLAN - LEVEL 06	23.08.24	A
AR-JPW-DA-100900	DA PLAN - LEVEL 07	23.08.24	A
AR-JPW-DA-101000	DA PLAN - LEVEL 08	23.08.24	A
AR-JPW-DA-101100	DA PLAN - LEVEL 09	23.08.24	A
AR-JPW-DA-101200	DA PLAN - LEVEL 10	23.08.24	A
AR-JPW-DA-101300	DA PLAN - LEVEL 11	23.08.24	A
AR-JPW-DA-101400	DA PLAN - LEVEL 12	23.08.24	A
AR-JPW-DA-101500	DA PLAN - LEVEL 13	23.08.24	A
AR-JPW-DA-101600	DA PLAN - ROOF PLAN	23.08.24	A
AR-JPW-DA-160000	SHADOW DIAGRAMS 14 APRIL	23.08.24	A
AR-JPW-DA-160010	SHADOW DIAGRAMS 21 JUNE	23.08.24	A
AR-JPW-DA-200000	DA - SOUTH ELEVATION - BARRACK STREET	23.08.24	A
AR-JPW-DA-200010	DA - EAST ELEVATION - GEORGE STREET	23.08.24	A
AR-JPW-DA-200020	DA - NORTH & WEST ELEVATIONS - BARRACK LANE	23.08.24	A
AR-JPW-DA-300000	DA - BUILDING SECTIONS	23.08.24	A
AR-JPW-DA-500000	DA GFA AREAS - EXISTING	23.08.24	A
AR-JPW-DA-500010	DA GFA AREAS	23.08.24	A
AR-JPW-DA-600000	GROUND FLOOR GEORGE ST LOBBY ELEVATIONS	23.08.24	A
AR-JPW-DA-600010	GROUND FLOOR BARRACK ST LOBBY ELEVATIONS	23.08.24	A

AR-JPW-DA-600020	TYPICAL OFFICE LOBBIES ELEVATION	23.08.24	A
AR-JPW-DA-600030	BARRACK ST BOOSTER	23.08.24	A
AR-JPW-DA-600050	ROOF DETAIL SECTION	23.08.24	A
AR-JPW-DA-700000	PROPOSED MATERIAL AND FINISHES	23.08.24	A

- b. *Heritage Impact Statement (HIS), CBC Bank (Former) 343 George Street Sydney*, prepared by Design 5 Architects, dated 2 April 2025
- c. *Statement of Environmental Effects (SOEE), 343 George Street Sydney*, prepared by Ethos Urban, dated 15 April 2025
- d. *Schedule of Conservation Works 343 George Street Sydney Former Commercial Banking Company Building*, prepared by Design 5 Architects, dated 2 April 2025
- e. *343 George Street Renewal Design Statement*, prepared by Johnson Pilton Walker, dated 23 August 2024
- f. *Conservation Management Plan (CMP) 343 George Street Sydney, formerly Headquarters of the Commercial Banking Company of Sydney*, prepared by Design 5 Architects, dated April 2002
- g. *Conservation Management Plan (CMP) 343 George Street Sydney, formerly Headquarters of the Commercial Banking Company of Sydney*, prepared by Design 5 Architects, dated April 2025
- h. *DA Structural report 343 George Street Sydney*, prepared by TTW, dated 20 August 2024
- i. *Building Code of Australia 2022 Upgrade Strategy, 343 George Street Sydney*, prepared by Philip Chun, dated 2 September 2024
- j. *Access Review, 343 George Street Sydney*, prepared by MGAC, dated 27 August 2024
- k. *Fire Engineering Statement 343 George Street Sydney*, prepared by Innova Services Australia, dated 11 October 2024
- l. *Mechanical Services Report, Base Building Renewal – 343 George St*, prepared by Northrop, dated 27 August 2024

EXCEPT AS AMENDED by the General Terms of Approval:

WORKS NOT APPROVED

2. The following works are not approved.

- a. The proposed works to the original money lift room at Lower Ground / Basement B1 is not approved.
- b. The removal and storage of the original marble counter located at the George Street lobby is not approved.
- c. The removal and storage of the marble writing desks are not approved.
- d. The removal of the original bronze doors within the internal bronze screen at the Barrack Street entrance and modification with glazed sliding doors in the current form is not approved.

- e. Modification of the original inner bronze screen at the Barrack Street entrance in the current form is not approved.
- f. Removal and/or modification of the original pavement lights in association with the proposed fire hydrant on the Barrack Street elevation in the current form is not approved.

Reason: To ensure that the proposal will not have a detrimental impact to the significant aesthetic, rarity, and Historic values of CBC Bank (former). Insufficient details that clearly demonstrate a meaningful treatment of significant elements and heritage values of the site have not been provided.

Details to be Submitted for Approval

3. The following information is to be submitted with the s.60 application for approval by the Heritage Council of NSW (or delegate):
 - a. Further clarification to be provided relating to the storage spaces and location of moveable heritage items within Basement B2 as follows:
 - i. A moveable heritage strategy should be prepared including an inventory of current items to be relocated and additional items proposed to be stored, such as steel grilles. Noting the current unsatisfactory storage of materials, the strategy should outline detailed methodology for recording, tagging and storing of heritage materials in secure locations within the building.
 - ii. The reinstallation of heritage storage is encouraged within the building to improve interpretation.
 - b. Amended plans showing the exceptional graded marble writing desks meaningfully retained within the ground floor.
 - c. Further details, including elevations are to be provided indicating the dimensions and proposed detailing of the three proposed openings in the Lower Ground / Basement B1 former vault walls. New penetrations should be avoided with the preference for existing openings to be widened where there is minimal impact to original fabric.
 - d. Further details, including elevations, are to be provided for the modifications to the original security grilles in the Lower Ground / Basement B1 former vault. The details should include the following:
 - i. Only the minimum necessary removal of original framed grille sections to achieve compliant accessible egress.
 - ii. All remaining original grilles should be ceiling to floor.
 - iii. Detail Plans and Elevations including dimensions demonstrating how the original grilles sections will be modified.
 - iv. A methodology for the original grilles dismantlement, storage and reversibility.
 - e. Amended plans including dimensions demonstrating the two internal masonry walls that are to be removed in the former vault located on the Lower Ground / Basement B1 floor retain a bulkhead as evidence of the original configuration of the room.

- Where it is found that original metal grilles are positioned adjacent to the internal masonry walls, bulkheads that retain the original framed grille sections are to be incorporated in lieu of the masonry wall.
- f. Details demonstrating that further investigation has been undertaken to determine the location of the original money lift at the lower ground floor, and that amended plans be submitted showing the lift's location with a modified northern wall that avoids impact to significant fabric.
- g. Amended plans showing the proposed bronze partition screens that retain the exceptional significance original marble counter at the George St lobby. Further details of the proposed bronze screening dimensions, materiality and fixing details should also be included.
- h. Amended plans and further details are to be provided outlining how the existing bronze inner screen at the Barrack Street entrance will be modified to meet the floor and integrate with the newly proposed levels. The construction methodology for the removal / reinstatement or modification to significant fabric must be included, clearly demonstrating a thoughtful treatment of significant fabric.
- i. Amended plans demonstrating the existing bronze doors within the Barrack Street entrance inner bronze screen remain in their original location and either the opening and closing function be modified or alternative options to suitably accommodate DDA compliance be provided.
- j. Further details of how the exposed fabric, as a result of the lowered slab and removal of the existing trachyte steps at the Barrack Street entrance, will be treated to integrate with the existing significant fabric and finishes.
- k. Amended plans that demonstrate the re-use of the salvaged trachyte steps within the Barrack Street external threshold proposed ramp.
- l. Further details and justification are needed to clearly demonstrate how the required fire rated slab in association with the fire hydrant can be installed without impacting the significant pavement lights on Barrack Street.
- m. Further details that clearly demonstrate the dimensions and methodology for the removal and re-cladding of the polished trachyte stone to form the external hydrant doors on the Barrack Street facade. Detailed plans and sections should also be provided, clearly indicating demolished, existing, and new fabric, retention of significant pavement lights, and accompanied by a structural engineer's certification.
- n. Further details of the proposed signs on the George Street façade and internal bronze screen, including dimensions, demonstrating they align with the heritage values of the site. The proposed lumination of signage is not consistent with heritage values and is not approved.
- o. Provide amended plans showing incorporation of a new roof structure and integration of the skylight to provide greater amenity to the roof space.

Reason: The details requested were either not supplied during the assessment of the application or were considered to be unsympathetic to the heritage values. The assessment and management of these details is considered essential in order to obtain a good heritage outcome.

Heritage consultant

4. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

Specialist tradespersons

1. All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice.

Site protection

2. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

Heritage Interpretation Plan

7. An interpretation plan must be prepared in accordance with the Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005) and submitted for approval to the Heritage Council of NSW (or delegate) prior to the issue of a Construction Certificate/ Government certification.
8. The interpretation plan must detail how information on the history and significance of CBC Bank (former) including the demolished section of the original Mansard wall will be provided for the public, and make recommendations regarding public accessibility, signage and lighting. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.
9. The approved interpretation plan must be implemented prior to the issue of an Occupation Certificate

Reason: Interpretation is an important part of every proposal for works at heritage places.

Photographic Archival Recording

10. A photographic archival recording (if necessary, specify elements or parts of structure/complex to be recorded) must be prepared prior to the commencement of works, and may be requested during works and at the completion of works. This recording must be prepared in accordance with the Heritage NSW publication 'Guidelines for preparing archival recordings of heritage items as a condition of consent' (2025). Only the digital copy of the archival record must be submitted electronically to Heritage NSW. The required format and specifications of the record are published on the Heritage NSW website.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

Unexpected finds

11. The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics or any other buried fabric are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: All significant fabric within a State Heritage Register curtilage should be managed according to its significance. This is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project.

Compliance

12. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

Section 60 application

13. An application under section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

Advice

Section 148 of the *Heritage Act 1977* (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of appeal

If you are dissatisfied with this determination, section 70A of the Act gives you the right of appeal to the Land and Environment Court.

SCHEDULE 4

Transport for NSW Recommended Conditions

Interference with Traffic and Transport Operation

General

The applicant must comply with all Altrac Light Rail Partnership (Altrac) or any subsequent operator of Sydney Light Rail (Sydney Light Rail Operator) policies, rules and procedures when working in and about the Sydney Light Rail corridor (SLR).

The applicant shall submit a Work Access Permit to the Sydney Light Rail operator for approval for any works that will require access to the SLR Corridor, closedown or possession of the Light Rail Corridor. The Work Access Permit will need to be applied for all proposed works at least 10 working days prior to the commencement of works by following the link <https://www.transdevsydney.com.au/workaccesspermits/>.

The Applicant shall submit a Road Occupancy Licence (ROL) application to the Transport Management Centre (TMC) for its approval when the applicant is planning to occupy space on George Street that affects traffic and transport operation along George Street. An ROL will need to be applied for all proposed works at least 10 working days prior to the commencement of works by following the link <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

Prior to the Issue of the Construction Certificate

Works Deed / Agreements

Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, if required by TfNSW, Works Deed (s) between the applicant, TfNSW and/or Altrac and the Sydney Light Rail Operator must be agreed and executed by the parties. These agreements may deal with matters including, but not limited to, the following:

- Sydney Light Rail Operational requirements;
- Sydney Light Rail access requirements;
- Altrac and Sydney Light Rail Operator policies, rules and procedures compliance requirements;
- Indemnities and releases;
- Security of costs;
- Insurance requirements and conditions;
- TfNSW, Altrac and the Sydney Light Rail Operator's recovery of costs from the applicant for costs incurred by these parties in relation to the development (e.g. review of designs and reports, legal, shutdown /power outages costs including alternative transport, customer communications, loss of revenue etc) risk assessments and configuration change processes;

- Interface coordination between the Sydney Light Rail Operator and the subject development construction works, including safety interface; Interface Assess Deed Poll and Safety Interface Agreement between the applicant and the Sydney Light Rail Operator must be agreed and executed by the parties. This agreement may deal with matters including, but not limited to, the following:
 - Pre and post construction dilapidation reports;
 - The need for track possessions;
 - Review of the machinery to be used during excavation/ground penetration / construction works;
 - The need for track monitoring;
 - Design and installation of lights, signs and reflective material;
 - Endorsement of Risk Assessment/Management Plan and Safe Work Method Statements (SWMS);
 - Endorsement of plans regarding proposed craneage and other aerial operations;
 - Erection of scaffolding/hoarding;
 - Light Rail Operator's rules and procedures; and
 - Alteration of rail assets such as the OHW along of track and associated hoarding demarcation system, if undertaken by the applicant.
- Altrac and the Sydney Light Rail Operator's reviews and impact assessment of the applicant's proposal, engineering design and construction works methodology on Sydney Light Rail Operations and assets;
- Attendance and participation in the construction works risk assessment of construction activities to be performed in, above, about, and/or below the Sydney Light Rail Corridor;
- Arrangements for shutdowns and Sydney Light Rail restricted operations related costs attributed to the applicant; and
- Sydney Light Rail site works access approval and access permit to work.

Construction Pedestrian and Traffic Management

Prior to the issue of any construction certificate, the applicant shall prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW and submit a copy of the final plan to TfNSW for endorsement via development.CTMP.CJP@transport.nsw.gov.au.

The CPTMP needs to specify matters including, but not limited to, the following:

Site information and building construction plan

- A description of the development;
- Proposed Construction program and construction methodology;
- Construction hours;

- A detailed plan of any proposed hoarding and/or scaffolding;
- Details of crane arrangements including location of any crane(s);
- Location(s) where it is proposed to park construction vehicle;
- Location of any proposed work zone(s);

Access and movement

- Pedestrian, cyclists and traffic management measures;
- Haulage routes;
- Predicted number of construction vehicle movements and detail of vehicle types;

Impacts

- Identify any potential impacts to general traffic, cyclists, pedestrians and light rail and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
- Cumulative construction impacts of projects. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the surrounding road network;

Mitigation

- Measures to minimise movement delays. i.e. Vehicle movements are to be minimised during peak network demand periods;
- Details of specific measures to ensure the arrival of construction vehicles to the site do not cause additional queuing on public roads;
- Proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP;
- Measures to avoid construction worker vehicle movements;

Ongoing activities

- Details of the monitoring regime for maintaining the simultaneous operation of buses, light rail and construction vehicles on roads surrounding the site;
- Consultation strategy for liaison with surrounding stakeholders, including other developments under construction; and
- Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and the Transport Management Centre and Transport for NSW (via development.CTMP.CJP@transport.nsw.gov.au to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.

During Construction

- Construction vehicles shall not be stopped or parked on George Street adjacent to the site at any time without prior approval of TfNSW;
- No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment unless a physical barrier such as a hoarding or structure provides separation;
- During all stages of the development extreme care shall be taken to prevent any form of pollution entering the light rail corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the applicant; and
- No scaffolding is to be used within 6 horizontal metres of the rail corridor unless prior written approval has been obtained from the Sydney Light Rail Operator and TfNSW and a physical barrier such as a hoarding or structure provides separation. To obtain approval the applicant will be required to submit details of the scaffolding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](https://www.planning.nsw.gov.au/sites/default/files/2023-07/condition-of-consent-advisory-note.pdf). <https://www.planning.nsw.gov.au/sites/default/files/2023-07/condition-of-consent-advisory-note.pdf> The consent should be read together with the *Conditions of development consent advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means the City of Sydney.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means the City of Sydney Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,
the reuse of stormwater,
the detention of stormwater,
the controlled release of stormwater, and
connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.